

SPECIAL ZONING BOARD OF APPEALS MINUTES OF SEPTEMBER 25, 2007

Meeting called to order by Vice Chairperson Reek at 4:45 p.m. in the Executive Conference Room, City Hall Plaza.

PRESENT: Marvin Duerr, Wallace Reek, Don Wink, Karl Zimmermann and 1st Alternate Donald Schnitzler

EXCUSED: Dean Markwardt

ALSO PRESENT: Planner/Zoning Administrator Curtiss, Deputy Clerk Panzer, Clyde Schreiber, Irene Schreiber, Gary Gray, Mary Stemper, Mary Kopf, Joyce Lawrence, Kenneth Guralski, Gwen Guralski, Clarence Topp and Pat Topp

Deputy Clerk read the variance request from Clyde & Irene Schreiber to construct a second-story onto the residence at 710 W. 4th Street, zoned "R-3" Standard Single-Family Residential District. Sections 18-62 (4)(f) & 18-04 (5)(i) require a minimum 9.5-ft side yard setback for two-story residential dwellings. Applicants request a 1.5-ft side yard setback variance to construct the addition at 8-ft from the east lot line.

Planner/Zoning Administrator's statement of facts regarding the variance request:

1. The property is 6,424-S.F. in lot size and 44-ft in lot width.
2. The property is a non-conforming lot in the R-3 Standard Single Family Residential District.
3. This lot is not the only non-conforming lot in this R-3 Residential District. There are at least a dozen lots on the north & south sides of W. 4th Street that do not meet the lot requirements of the R-3 District.
4. The R-3 Residential District requires a minimum lot size of 10,000-S.F. and a minimum lot width of 60-ft.
5. The property is developed with a 1 ½ story, single-family residence and detached garage. The Assessor's records indicate that the residence was built in 1920.
6. The existing house predates the current code, however, conforms to the current setback restrictions of the R-3 District.
7. Section 18-62(4)(f) requires a minimum 7.5-ft side yard setback for dwellings. The existing dwelling is located 8-ft from the east lot line and 12-ft from the west lot line.
8. Section 18-04(5)(i) requires additional side yard setbacks for two-story residences. An additional 2-ft setback is required in addition to the standard side yard of the zoning district. This new second-story addition requires a 9.5-ft side yard setback.
9. The purpose of additional side setbacks for second story structures is to preserve adequate air, light, views and privacy of adjoining residential properties.
10. The adjacent home at 706 W. 4th Street is a 1 ½ -story structure and is located approximately 50-ft from this residential structure.
11. The variance request is minimal.
12. There is questionable compliance with all six conditions necessary to obtain a variance as specified in Section 18-35(2) of the Municipal Code.

Clyde Schreiber said that he wants to make this home a better place than what it is now, so that people will want to live in it.

The Schreibers plan on doing a total renovation. They are not sure if they will live in the home or sell it when the renovation is complete. This home has always been a rental and it is just not right for that type of area. Everybody else in that area is a homeowner. This house has been neglected for too long.

Pat Topp said that the house has been an eye sore and detriment to the neighborhood for so many years. We are in favor of someone respectable coming in and improving the home.

Clarence Topp explained the mess that the neighbors had to put up with over the years. He wants a family to move into that home that will take care of it.

Clyde Schreiber said that there is potential there and part of that potential is the second story, so it has more room and is more livable for a family instead of a small little dwelling for renters.

No objections were received for this variance request.

Vice Chairperson Reek said that four letters were received prior to the meeting and they are all positive letters in support of the variance request.

Mary Stemper, neighbor across the street is pleased with the improvements that she has seen in just these last several weeks.

Joyce Lawrence said that she shares the driveway with this property and she is tickled to death that someone is coming in there and trying to do something.

Clarence Topp thanked the Guralskis and the Lawrences for mowing the lawn and shoveling the sidewalk over the years.

Planner/Zoning Administrator Curtiss asked the Schreibers if they looked at adding on in the direction of the 40' indicated on the site plan between the building rear of the home and the garage.

Clyde Schreiber said yes, a deck to enhance the entrance to the house from that side. A deck would give more livable space outside of the house and a better entrance into the house from the backside.

Discussion was held on the matter of the shared driveway.

Planner/Zoning Administrator Curtiss explained that the shared driveway is a whole separate issue and is not relevant to this variance request.

ZB07-014 Motion by Zimmermann, second by Wink to grant the variance request from Clyde and Irene Schreiber for a 1.5-ft side yard setback variance to construct the addition at 8-ft from the east lot line. All Ayes.

Motion carried

Motion by Duerr, second by Zimmermann to adjourn at 5:01 p.m.

Motion carried

Lori A. Panzer
Deputy City Clerk